

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HE LI, CHANGAI ZHUO, and ZEHAO LI	:	
	:	
Plaintiffs,	:	
	:	C.A. No. 06-733-JJF
v.	:	
	:	
MICHAEL CHERTOFF, Secretary of the	:	
Department of Homeland Security, EMILIO	:	
T. GONZALEZ, Director of U.S.	:	
Citizenship & Immigration Services	:	
(USCIS); PAUL E. NOVAK, JR., Vermont	:	
Service Center Director, U.S. Citizenship &	:	
Immigration Services; ROBERT S.	:	
MUELLER, Director of Federal Bureau of	:	
Investigation,	:	
	:	
Defendants.	:	

AMENDED MOTION TO DISMISS

Defendants, through their undersigned counsel, respectfully move, pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), to dismiss Plaintiffs' Complaint. In support of this Motion, the Court is respectfully referred to the accompanying Memorandum of Points and Authorities. A proposed Order has been filed at Doc. No. 6.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

/s/ Seth M. Beausang
Seth M. Beausang (I.D. No. #4071)
Assistant United States Attorney
1007 N. Orange Street, Suite 700
Wilmington, Delaware 19801
(302) 573-6277

Dated: May 8, 2007.

CERTIFICATE OF SERVICE

I, Seth M. Beausang, hereby attest under penalty of perjury that on this 8th day of May, 2007, I caused two copies of Defendants' Amended Motion to Dismiss, Memorandum of Points and Authorities in Support Thereof and Proposed Order to be served on the Plaintiffs by First Class Mail at the following address:

He Li
Changai Zhuo
Zehao Li
403 King Rail Court
Middletown, DE 19709
(302)378-8256
PRO SE

/s/ Seth M. Beausang
Seth M. Beausang (DE I.D. No. 4071)